



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historical Preservation

DATE: September 14, 2010

SUBJECT: BZA Case 18104 – Request for a variance for property located at 3245 N Street NW

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) **does not support** approval of a variance to increase the allowable building height for the existing dwelling under § 400.1 from three to four stories because the application does not sufficiently explain how the existing property characteristics present a practical difficulty.

II. AREA AND SITE DESCRIPTION



| | |
|--------------------|-----------------------|
| Address: | 3245 N Street NW |
| Legal Description: | Square 1231, Lot 0806 |
| Ward: | 2E |



| | |
|-------------------------------------|--|
| Lot Characteristics: | A rectangular interior lot with frontage along N Street with an easement ten feet wide across the rear yard. This easement allows vehicular access from the abutting lot to the west (3241 N Street NW) to an alley between the subject property and Potomac Street. |
| Existing Development: | A three-story one-family row dwelling of masonry construction that is set back four feet from the front (southern) boundary. There is also a one story garage located along the rear (northern) boundary on the opposite side of the above-referenced vehicle-access easement. |
| Zoning: | R-3 – allows one-family dwellings and accessory parking garages as a matter of right. |
| Historic District: | Georgetown |
| Adjacent Properties: | Predominantly detached, attached and semi-detached dwellings that are two-stories and taller. |
| Surrounding Neighborhood Character: | Moderate-scale residential (refer to Figure 1). |

III. APPLICATION IN BRIEF

Applicant: William S. Langhorne, the property owner

Proposal: To construct a new fourth floor atop the existing dwelling. The entire floor would appear to be devoted to a new master bedroom suite.

Relief and Zoning: The height limit in the R-3 district is 40 feet and three stories. The applicant requested a variance to increase the allowable number of stories on this property from three to four and increase the building height from 28.5 to 39 feet. The property is also subject to the following provisions of the Zoning Regulations:

| Standard | R-3 Req't | Existing | Proposed | Relief Required? |
|------------------------------------|-----------------------|--------------------------------------|--------------------------------------|-----------------------------------|
| Lot Area (§ 401.3) | 2,000 s.f. | 3,412 s.f. (0.8 ac.) | unchanged | No |
| Lot Width (§ 401.3) | 20 ft. | 22.7 ft. | unchanged | No |
| Square Footage | None prescribed | approx. 4,001 sq.ft. ¹ | approx. 5,463 sq.ft. ¹ | No |
| Height (§ 400.1) | 40 feet, 3 stories | 39 feet, 3 stories | 39 feet, 4 stories | Yes (number of stories) |
| Rear Yard (§ 404.1) | 20 feet min. | 57 feet | unchanged | No |
| Side Yard (§ 405.9) | Not required | 0 feet | unchanged | No |
| Lot Occupancy % (§ 403.2) | 60% | 58.7% | unchanged | No |
| Parking, On-Site (§ 2101.1) | 1 space | 1 space | unchanged | No |

Based on the zoning computation provided with the application, the existing dwelling conforms to the current Zoning Regulations. The proposed construction would not change the existing building footprint. The fourth floor addition would, therefore, not create any other nonconforming building

¹ The zoning regulations do not prescribe a maximum Floor Area Ratio / square footage. The application does not indicate this figure and the drawings are not sufficiently dimensioned to allow an accurate determination of existing or proposed square feet. OP figure includes the space of the lower level.

characteristic. As a result, the applicant submitted this application requesting variance relief to increase the allowable number of floors on the subject property under § 400.1 from three to four.

IV. OFFICE OF PLANNING ANALYSIS

- Unique and exceptional conditions resulting in a practical difficulty:

This appears to be the only property on this block where the dwelling is recessed into the surrounding terrain: the main dwelling entrance is on the cellar level. The property is bisected by a vehicle access easement. Collectively, these characteristics make the property unique.

However, it is not clear how the unique circumstances associated with the property result in a practical difficulty leading to the specific relief requested. The principal difficulty described in this application is that the lowest floor has limited utility because it has less floor area than the upper two floors. This is because the lowest floor was originally constructed mostly below grade with no windows on three sides and was not excavated to the full building footprint.

However, the manner in which floors are counted under the regulations has no impact on the potential utility of the ground floor of this dwelling. As a result, the application does not sufficiently explain how the existing situation presents a practical difficulty.

- Detriment to the public good:

It does not appear that the addition would unduly impact surrounding properties in terms of potential shadowing or privacy impacts.

- Detriment to the intent, purpose and integrity of the zoning regulations:

The intent of the height / story limit is, presumably, to limit and standardize potential building bulk and character. While the utility of the lowest level may be limited as outlined by the application, the building appears as a 3 story building, consistent with the zoning. An application is also required by the regulations to address the relevant relief “test” as outlined in the regulations. In this case, the applicant has not sufficiently shown a practical difficulty associated with the referenced unique property characteristics. Granting the requested variance, when no practical difficulty has been clearly established, could therefore be considered to impair the intent and integrity of the Zoning Regulations.

V. AGENCY REVIEW

Exterior improvements to properties located in the Georgetown Historic District are subject to Commission of Fine Arts (CFA) review. The Old Georgetown Board’s recommendation to the CFA on May 20, 2010, did not object to the conceptual design, although some architectural changes were required. If the BZA approves this application, revised working drawings would be submitted for final CFA approval.

VI. COMMUNITY COMMENTS

During a regularly scheduled meeting on August 30, 2010, Advisory Neighborhood Commission (ANC) 2E voted to recommend approval of this application. The application also includes a number of letters of support from neighbors, originally submitted to the CFA.

JLS/afj

Arthur Jackson, Case Manager